

John Mellgren (OSB # 114620)
Western Environmental Law Center
1216 Lincoln Street
Eugene, Oregon 97405
Ph. (541) 359-0990
Fax (541) 485-2457
mellgren@westernlaw.org

Nicholas Cady (OSB # 114363)
Cascadia Wildlands
P.O. Box 10455
Eugene, Oregon 97440
Ph: (541) 434-1463
Fax: (541) 434-6494
nick@cascwild.org

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

CASCADIA WILDLANDS; and OREGON
WILD,

Plaintiffs,

vs.

UNITED STATES FOREST SERVICE,

Defendant,

and

DOUGLAS COUNTY, CARPENTERS
INDUSTRIAL COUNCIL, and AMERICAN
FOREST RESOURCE COUNCIL,

Defendant-Intervenors.

Civ. Case No. 6:13-cv-02130-MC

STIPULATION TO VOLUNTARILY
DISMISS CASE WITHOUT PREJUDICE
AND JOINT MOTION TO VACATE
RULE 16 CONFERENCE

Plaintiffs Cascadia Wildlands and Oregon Wild (collectively “Cascadia”), Defendant United States Forest Service (Forest Service), and Defendant-Intervenors Douglas County, Carpenters Industrial Council, and American Forest Resource Council (collectively “Douglas County”) respectfully submit this stipulation pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) voluntarily dismissing the above captioned action without prejudice.

On April 11, 2014, counsel for the Forest Service provided counsel for Cascadia and Douglas County with a copy of the April 10, 2014 Forest Service notice withdrawing the May 8, 2013 Decision Notice and Finding of No Significant Impact for the Loafer Timber Sale Project. This notice is attached as Exhibit A.

Because the Forest Service has withdrawn the challenged underlying agency decision, the parties hereby stipulate to voluntarily dismiss this action without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). The parties further stipulate that if and when the Forest Service issues a new Decision Notice pertaining to the Loafer Timber Sale Project, the Forest Service will provide written notice of such action to all parties to the present action and their attorneys.

Finally, the parties respectfully move to vacate the Rule 16 conference set for April 23, 2014 at 10:30 a.m.

Respectfully submitted and dated this 18th day of April, 2014.

/s/ John R. Mellgren

John R. Mellgren (OSB #114620)
Western Environmental Law Center
1216 Lincoln Street
Eugene, Oregon 97401
Ph: (541) 359-0990
Fax: (541) 485-2457
mellgren@westernlaw.org

Attorney for Plaintiffs

S. AMANDA MARSHALL

United States Attorney
District of Oregon

/s/ Sean E. Martin

SEAN E. MARTIN

Attorney for Defendant U.S. Forest Service

/s/ Scott W. Horngren

Scott W. Horngren (OSB # 880604)

American Forest Resource Council

5100 S.W. Macadam, Suite 350

Portland, Oregon 97239

Ph: (503) 222-9505

Fax: (503) 222-9505

Email: shorngren@amforest.org

Attorney for Defendant-Intervenors